IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 15720 of 2005

Between:

Sri Venkateswara Educational and Research Society, Thorruru, Warangal District, Rep. by its Correspondent Sri Someswara Rao,

..... PETITIONER

AND

1. The Government of Andhra Pradesh, Rep. by its Secretary, Department of Higher Education, Secretariat, Hyderabad,

2. The Andhra Pradesh State Council for Higher Education, Saifabad, Hyderabad, Rep. by its Secretary.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not passing orders on the application for establishing of private degree college at Thorruru in Warangal District as illegal, arbitrary, contrary to the provisions of the A.P. Education Act, 1984 and G.O.Ms.No. 29 dt. 5-2-1987 and unconstitutional and consequently direct the respondents to permit the petitioner to admit students to degree courses for the academic year 2005-2006.

Counsel for the Petitioner: MR.SRINIVASA RAO BODDULURI

Counsel for the Respondents: GP FOR EDUCATION

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the second respondent in passing any orders on the application of the petitioner for grant of permission for establishment of a new unaided private degree college at Thorruru in Warangal District as illegal and arbitrary apart from contrary to the provisions of the A.P.Education Act, 1982.

According to the petitioner, it made an application seeking permission for establishment of an unaided private degree college in pursuance of the notification issued by the respondents. However, the respondents did not pass any orders. Therefore, the petitioner has come up with the present writ petition.

At the time of hearing, it is stated by the learned counsel for the second respondent that reports have been received pointing out certain deficiencies, which have been directed to be complied with, and that the application of the petitioner is under consideration.

However, the contesting parties sought to oppose the petition on the ground that some incorrect facts were placed before the respondents showing the same building for the junior college as well

as for degree college, for which, the permission was sought for by the petitioner. However, it is not for this Court to go into the merits, but it is for the second respondent to consider any such objections of the contesting parties as to the correctness or otherwise of those allegations and to pass appropriate orders.

The writ petition is accordingly disposed of directing the second respondent to pass appropriate orders on the application of the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

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20.07.2005

VGB

To

1. The Secretary, Government of Andhra Pradesh, Department of Higher Education, Secretariat, Hyderabad,
2. The Secretary, Andhra Pradesh State Council for Higher Education, Saifabad, Hyderabad.
3. 2CCs to the Government Pleader for Education, High Court Buildings,

Hyderabad. (OUT)

4. 2CD copies